

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of an Application by  
CenterPoint Energy for Authority to  
Increase Natural Gas Rates in Minnesota

**ORDER GRANTING INTERVENTION**

On February 24, 2009, the Izaak Walton League of America – Midwest Office (IWLA) and Minnesota Center for Environmental Advocacy (MCEA) filed a Petition to Intervene in this proceeding with the Administrative Law Judge. No objection to the Petition to Intervene has been filed.

IWLA and MCEA have met the criteria set forth in Minn. R. 1400.6200 for intervention. For the reasons set forth in the accompanying memorandum, incorporated herein,

IT IS HEREBY ORDERED:

1. The IWLA/MCEA Petition to Intervene in this proceeding is GRANTED.
2. The ALJ's Service List shall be amended to reflect the additional Intervenor. A corrected version is attached hereto.

Dated this 7th day of April, 2009

/s/ Steve M. Mihalchick  
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STEVE M. MIHALCHICK  
Administrative Law Judge

**MEMORANDUM**

**Applicable Standard for Granting Intervention**

The rules governing intervention procedures and standards for proceedings before the Public Utilities Commission require that "[d]uring the time that a matter is before an administrative law judge, intervention procedures are governed by the rules of the Office of Administrative Hearings and by orders issued under those rules by the

Administrative Law Judge (ALJ).”<sup>1</sup> The rules adopted by the Office of Administrative Hearings (OAH) include standards for assessing petitions for intervention. A petition to intervene must demonstrate “how the petitioner’s legal rights, duties or privileges may be determined or affected . . . how the petitioner may be directly affected by the outcome . . . [and] shall set forth the grounds and purposes for which intervention is sought. . . .”<sup>2</sup> The administrative law judge must allow intervention “upon a proper showing pursuant to subpart 1 unless the judge finds that the petitioner’s interest is adequately represented by one or more parties participating in the case.”<sup>3</sup>

## **IWLA and MCEA’s Intervention**

The Petition to Intervene states that the Midwest office of the IWLA works on energy and air quality issues throughout the Midwest. MCEA’s programs include an Energy Program to advance the pursuit of environmentally sustainable energy policies. Petitioners share a mission of promoting environmental preservation in state and federal decision-making, including maximizing energy efficiency achievements.

Petitioners’ interest in this proceeding is focused on CenterPoint’s “decoupling proposal.” “Decoupling” is a regulatory tool designed to separate a utility’s revenue from changes in energy sales, with the purpose of reducing “a utility’s disincentive to promote energy efficiency.”<sup>4</sup> Petitioners have a specific interest in examining the decoupling proposal in the context of CenterPoint’s design of energy efficiency programs, cost allocation and rate design. Petitioners’ organizational missions support their interest in this matter. It is appropriate to grant the Petition to Intervene.

S.M.M.

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<sup>1</sup> Minn. R. 7829.0800 subp. 6 (2005).

<sup>2</sup> Minn. R. 1400.6200, subp. 1 (2005).

<sup>3</sup> Minn. R. 1400.6200, subp. 3 (2005).

<sup>4</sup> Minn. Stat. § 216B.2412, sub. 1 (2008).

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
ADMINISTRATIVE LAW SECTION  
P. O. BOX 64620  
ST. PAUL, MINNESOTA 55164-0620

**CERTIFICATE OF SERVICE**

<b>Case Title:</b> <i>In the Matter of an Application by Center Point Energy for Authority to Increase Natural Gas Rates in Minnesota</i>	<b>OAH Docket No. 12-2500-20147-2</b> <b>MPUC Docket No. G-008/GR-08-1075</b>
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Mary Osborn certifies that on the 7th day of April, 2009, she served a true and correct copy of the **Order Granting Intervention**; by electronic mail (as indicated on the Service List) to the following individuals:

All Individuals on the Official Service List	